



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: 2006-00161-YW
Issue Date: **AUG 28 2006**
Expiration Date: **SEP 26 2006**

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) and Section 404 of the Clean Water Act (33 USC 1344).

APPLICANT: Harbor Square, LLC
100 Summit Lake Drive
Valhalla, NY 10595

ACTIVITY: Construct a Fishing Pier, Kayak Launching Ramp, Bulkhead, Rip-Rap, and Discharge Fill Material

WATERWAY: Kill Brook and the Hudson River

LOCATION: Village/Town of Ossining, Westchester County, New York.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE,
otherwise, it will be presumed that there are no objections to the activity.

CENAN-OP-RE
PUBLIC NOTICE NO. 2006-00161-YW

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). A complete description of the project is given in the attached Work Description. The District Engineer has made the preliminary determination that the site-specific adverse effects are not likely to be substantial. Further consultation with NMFS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occur. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

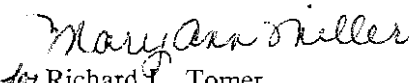
In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation

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It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8521 and ask for Frank Tangorra.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>


for Richard L. Tomer
Chief, Regulatory Branch

Enclosures

WORK DESCRIPTION

The applicant, Harbor Square, LLC, has requested Department of the Army authorization to construct a fishing pier, construct a kayak launching ramp, construct a concrete headwall, repair an existing rip-rap wall, repair an existing concrete retaining wall, install a bulkhead, and re-nourish an existing beachfront with clean material. The work site is located along Kill Brook and the Hudson River, at Village/Town of Ossining, Westchester County, New York.

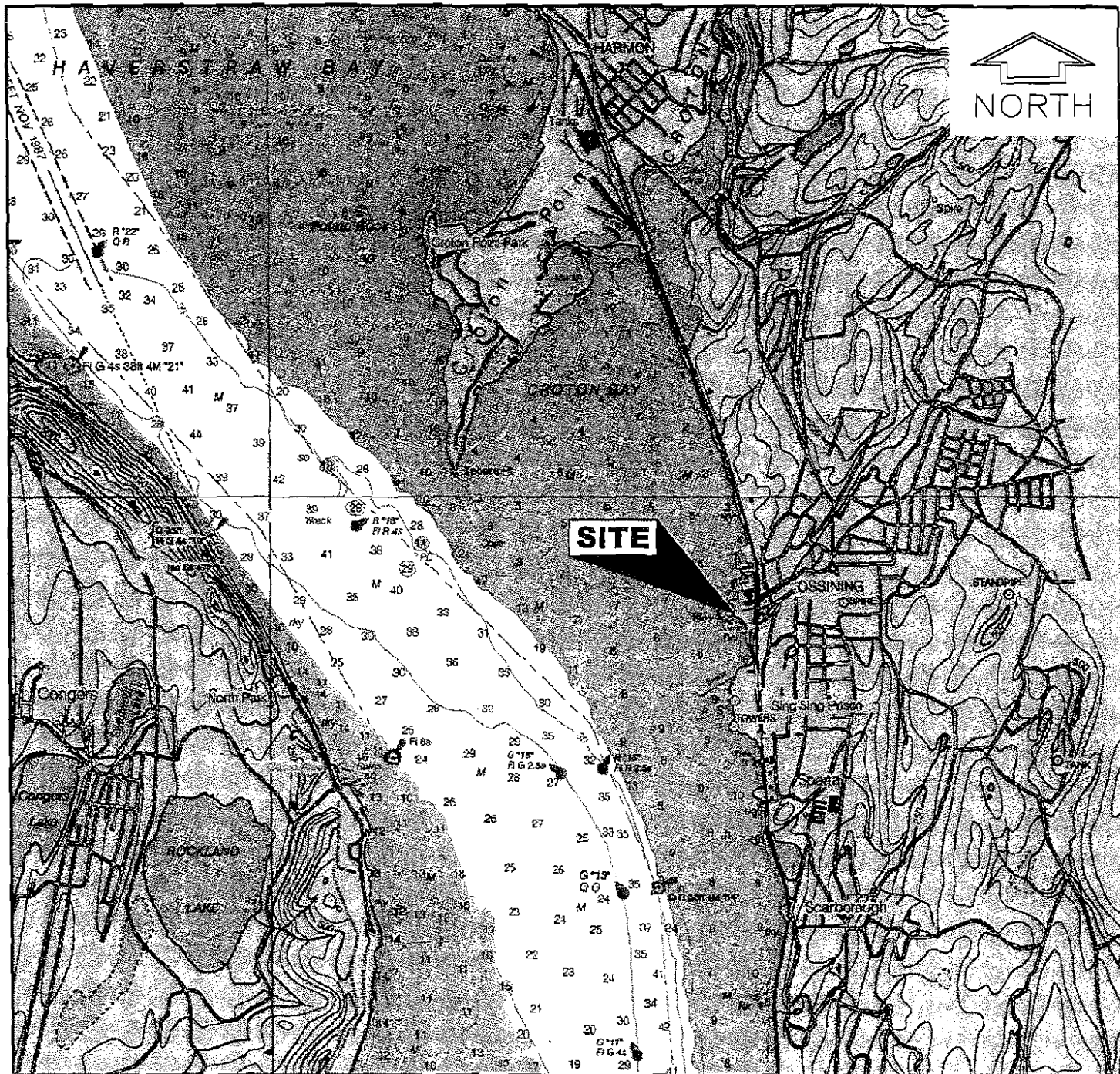
Along the Hudson River, the work would involve construction of a 1,475 square foot semi-circular fishing pier, 602 square feet of which will be waterward of the mean high water line. This proposed pier would serve as an extension to the landward end of the existing ferry pier, and would extend 20-feet seaward from the landward edge. A small unspecified volume of rip-rap would be removed to accommodate installation of a concrete support headwall. Approximately 15 timber piles would be installed to support the seaward end of the pier extension.

The work along the Hudson will also involve repair of approximately 455 feet of rip-rap wall. The existing rip-rap would be temporarily removed to lay a bedding of filter fabric and crushed stone. After placement of this underlayer material, the rip-rap will be replaced and a second layer of rip-rap, consisting of an unspecified volume of 342 to 571 pound armor stone, will be added to fill any existing voids. The toe of the rip-rap wall will be buried approximately 4-feet below the plane of mean low water. Select spots along the rip-rap wall would be planted with native vegetation. Approximately 50 cubic yards of existing rip-rap at the southern end of the property would be permanently removed to allow the placement of a 20-foot wide kayak launching ramp consisting of pea-size stone graded to a 1V:8H slope down to mean low water.

Lastly, the work along the Hudson would include placing approximately 103 cubic yards of beach nourishment material below the spring high water line. The fill material would come from a state-approved upland source.

Along the Kill Brook, the work would involve shoreline stabilization work via repair of approximately 182 linear feet of concrete retaining wall, and installation of approximately 390 linear feet of steel sheet pile bulkhead. The bulkhead installation may require approximately 35 cubic yards of fill below the spring high tide line.

The stated purpose of this project is to provide the public with recreational access, and to provide shoreline stabilization.



TAKEN FROM MAPTECH - REGION 3
NEW YORK TO NANTUCKET AND
TO CAPE MAY, NJ

VICINITY MAP

0 1000 4000 8000 FEET



SCALE

FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

PURPOSE: TO STABILIZE EXISTING SHORELINE

DATUM: N.G.V.D. 29

ADJACENT PROPERTY OWNERS:
SEE APPLICATION FOR LISTING

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

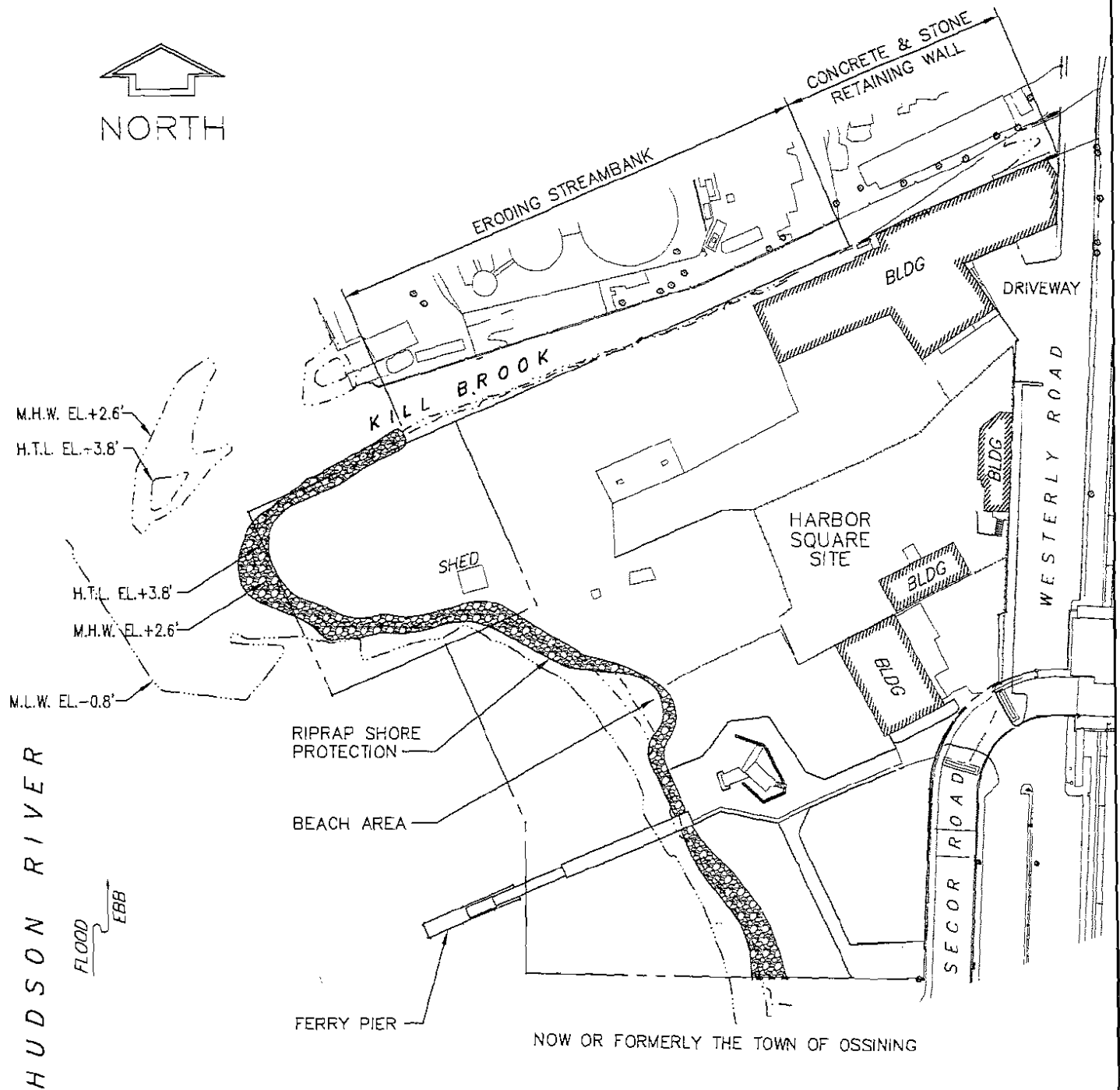
PROPOSED SHORELINE STABILIZATION OF HARBOR SQUARE
WATERFRONT DEVELOPMENT PROJECT

HUDSON RIVER
VILLAGE OF OSSINING
COUNTY OF WESTCHESTER
STATE OF NEW YORK

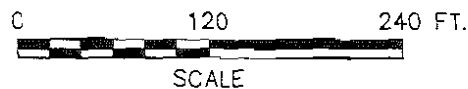
APPLICATION BY: HARBOR SQUARE, LLC

DATE: 1/31/06

SHEET 1 OF 12



EXISTING SITE PLAN



FOR PERMIT USE ONLY
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PURPOSE: TO STABILIZE EXISTING SHORELINE

DATUM: N.G.V.D. 29

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AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

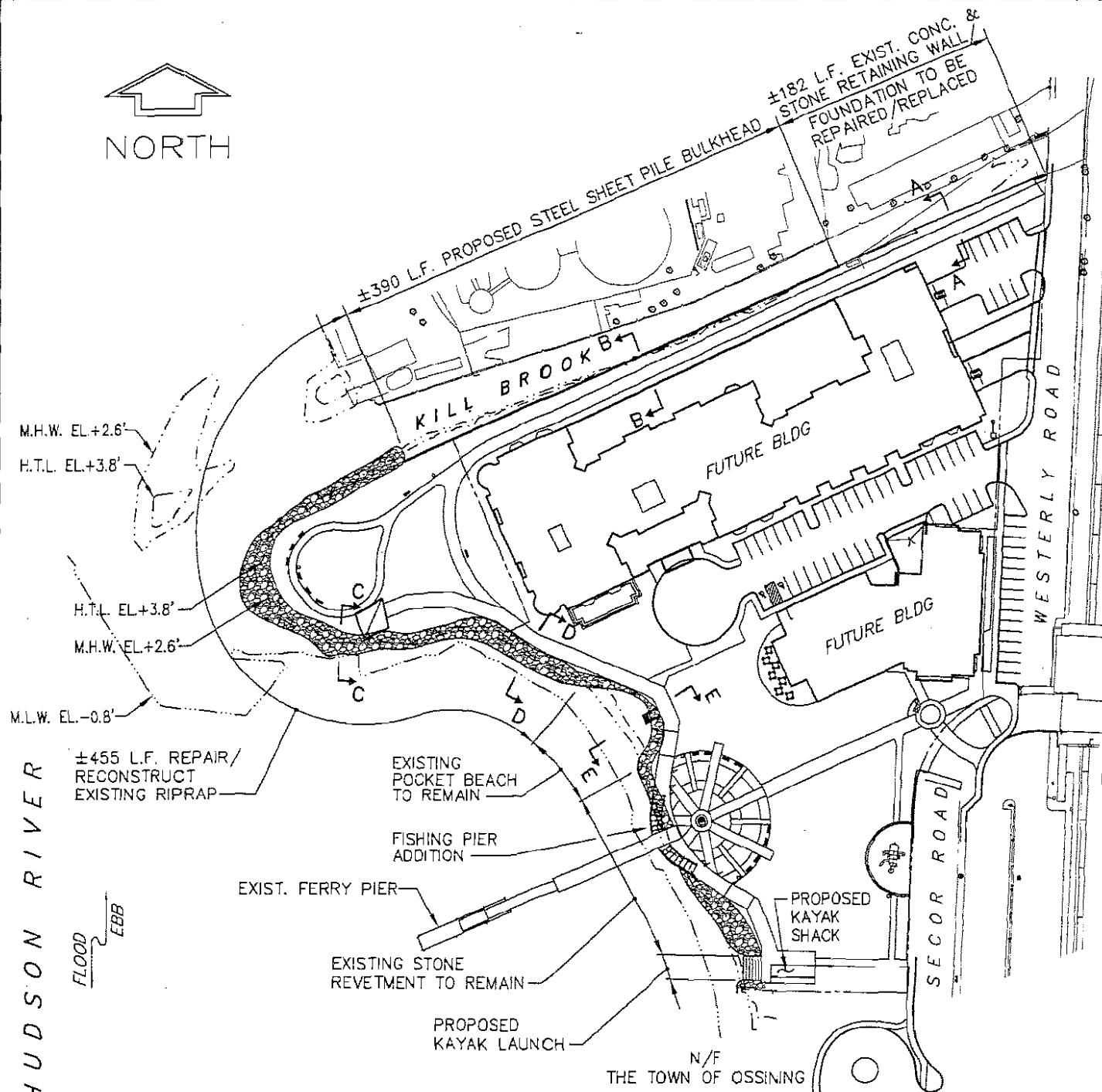
PROPOSED SHORELINE STABILIZATION OF HARBOR SQUARE
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HUDSON RIVER
VILLAGE OF OSSINING
COUNTY OF WESTCHESTER
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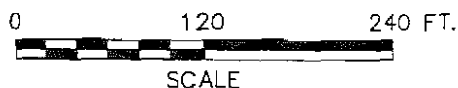
APPLICATION BY: HARBOR SQUARE, LLC

DATE: 1/31/06

SHEET 2 OF 12



PROPOSED SITE PLAN



FOR PERMIT USE ONLY
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PURPOSE: TO STABILIZE EXISTING SHORELINE

DATUM: N.G.V.D. 29

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AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

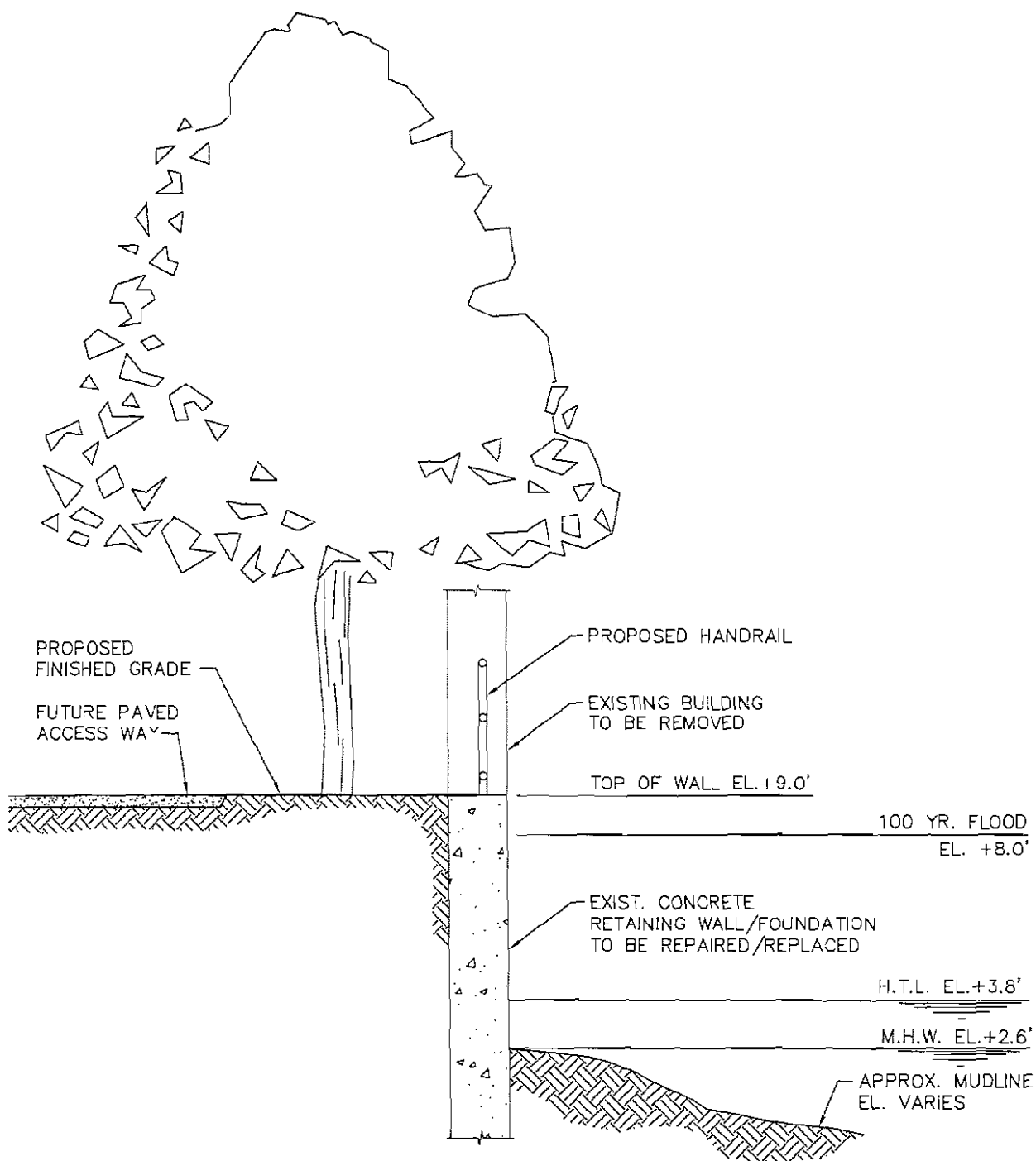
PROPOSED SHORELINE STABILIZATION OF HARBOR SQUARE
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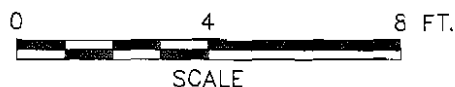
APPLICATION BY: HARBOR SQUARE, LLC

DATE: 1/31/06

SHEET 3 OF 12



SECTION A-A



FOR PERMIT USE ONLY
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ADJACENT PROPERTY OWNERS:
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AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

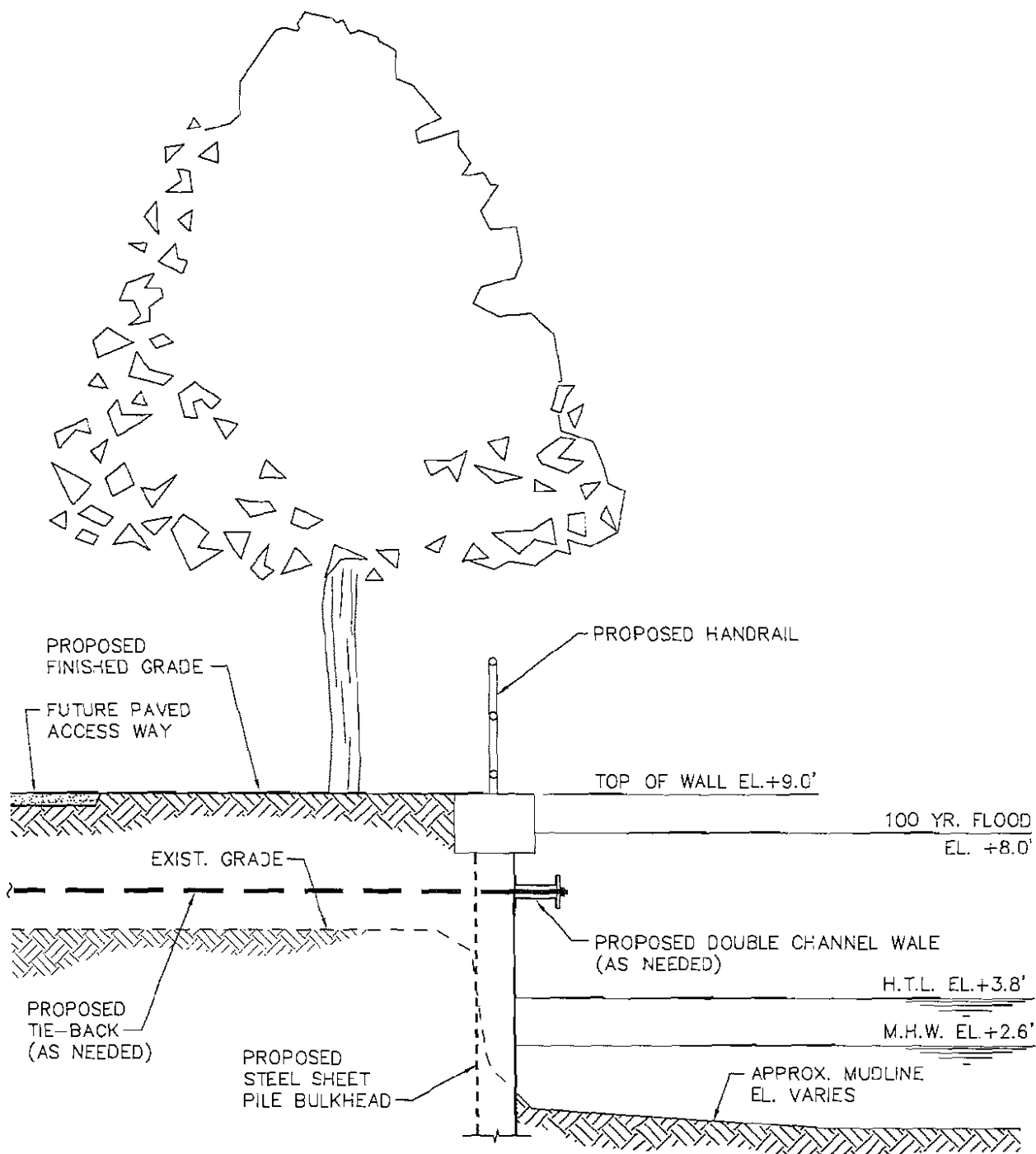
PROPOSED SHORELINE STABILIZATION OF HARBOR SQUARE
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HUDSON RIVER
VILLAGE OF OSSINING
COUNTY OF WESTCHESTER
STATE OF NEW YORK

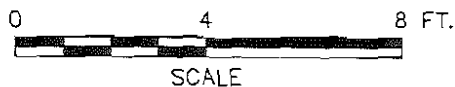
APPLICATION BY: HARBOR SQUARE, LLC

DATE: 1/31/06

SHEET 4 OF 12



SECTION B-B



FOR PERMIT USE ONLY
NOT FOR CONSTRUCTION

PURPOSE: TO STABILIZE EXISTING SHORELINE

DATUM: N.G.V.D. 29

ADJACENT PROPERTY OWNERS:
SEE APPLICATION FOR LISTING

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

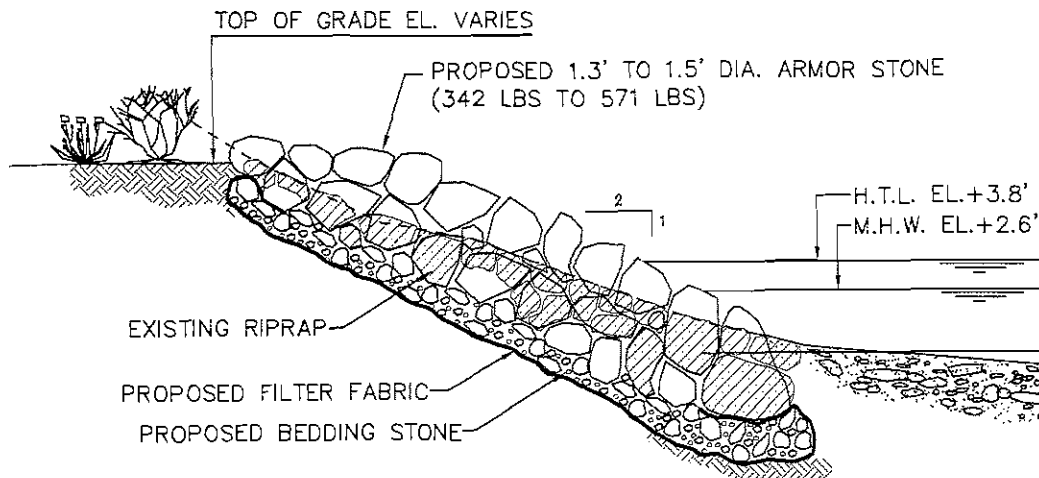
PROPOSED SHORELINE STABILIZATION OF HARBOR SQUARE
WATERFRONT DEVELOPMENT PROJECT

HUDSON RIVER
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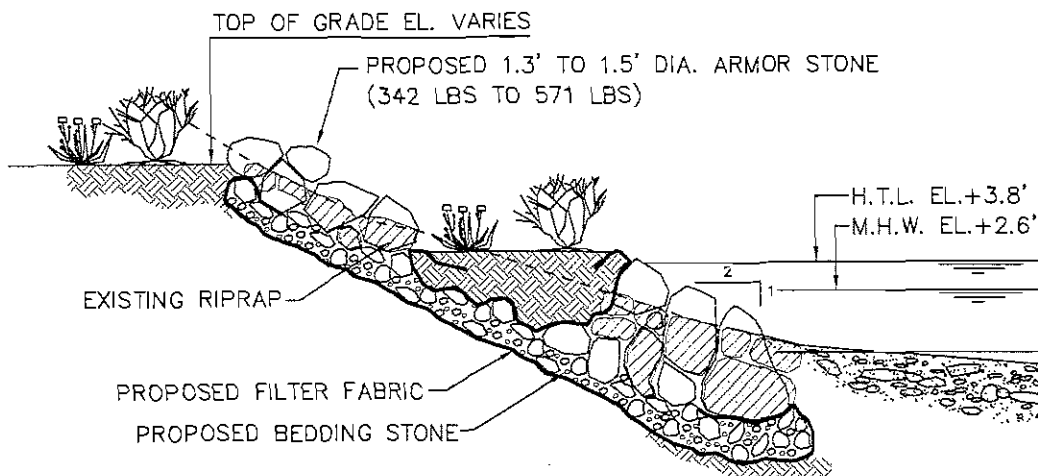
APPLICATION BY: HARBOR SQUARE, LLC

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SHEET 5 OF 12



CONCEPT 1



CONCEPT 2

SECTION C-C



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AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

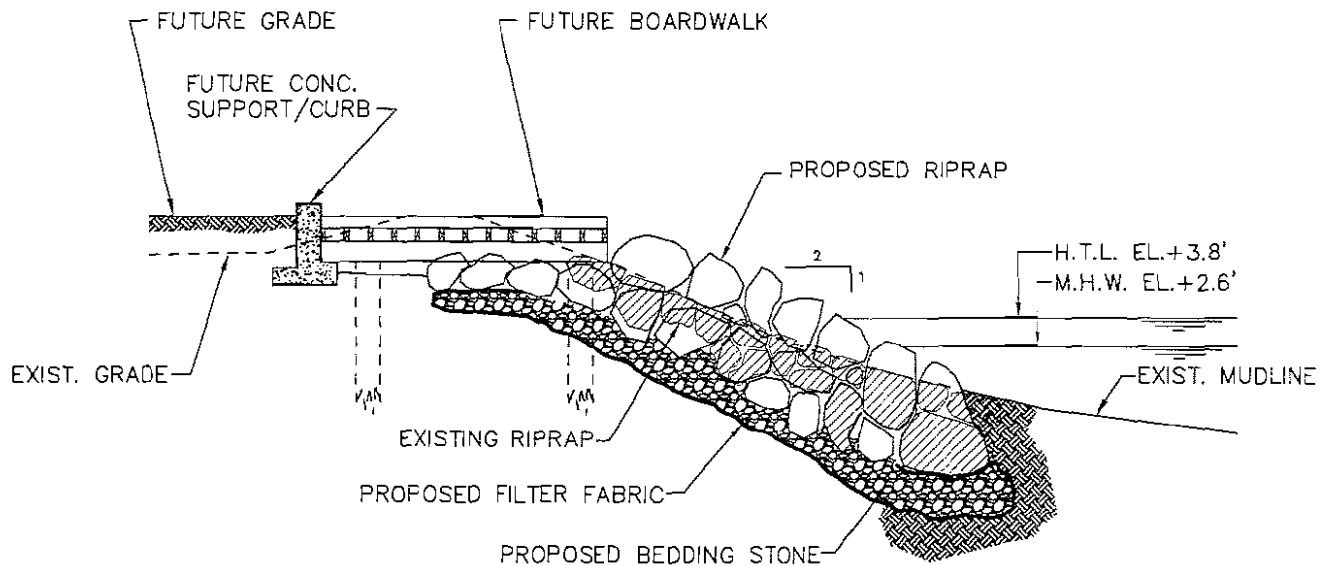
PROPOSED SHORELINE STABILIZATION OF HARBOR SQUARE
WATERFRONT DEVELOPMENT PROJECT

HUDSON RIVER
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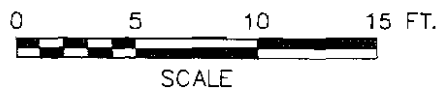
APPLICATION BY: HARBOR SQUARE, LLC

DATE: 1/31/06

SHEET 6 OF 12



SECTION D-D



FOR PERMIT USE ONLY
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AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

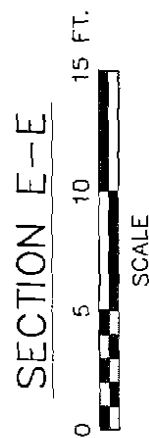
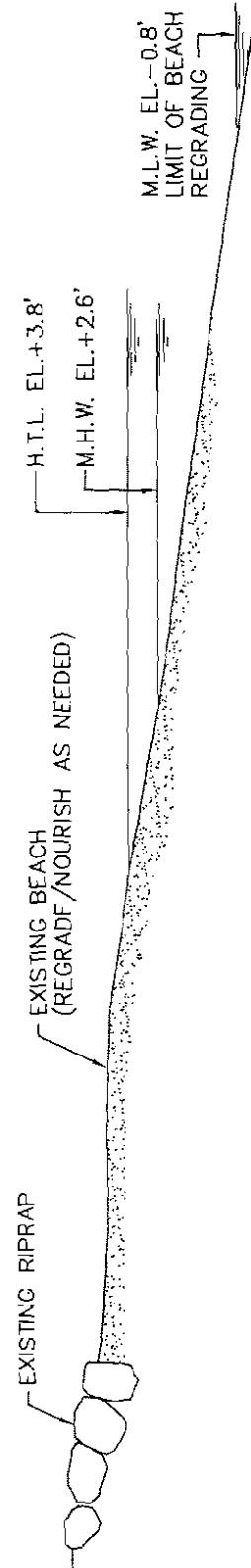
PROPOSED SHORELINE STABILIZATION OF HARBOR SQUARE
WATERFRONT DEVELOPMENT PROJECT

HUDSON RIVER
VILLAGE OF OSSINING
COUNTY OF WESTCHESTER
STATE OF NEW YORK

APPLICATION BY: HARBOR SQUARE, LLC

DATE: 1/31/06

SHEET 7 OF 12



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PURPOSE: TO STABILIZE EXISTING SHORELINE

DATUM: N.G.V.D. 29

ADJACENT PROPERTY OWNERS:
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AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

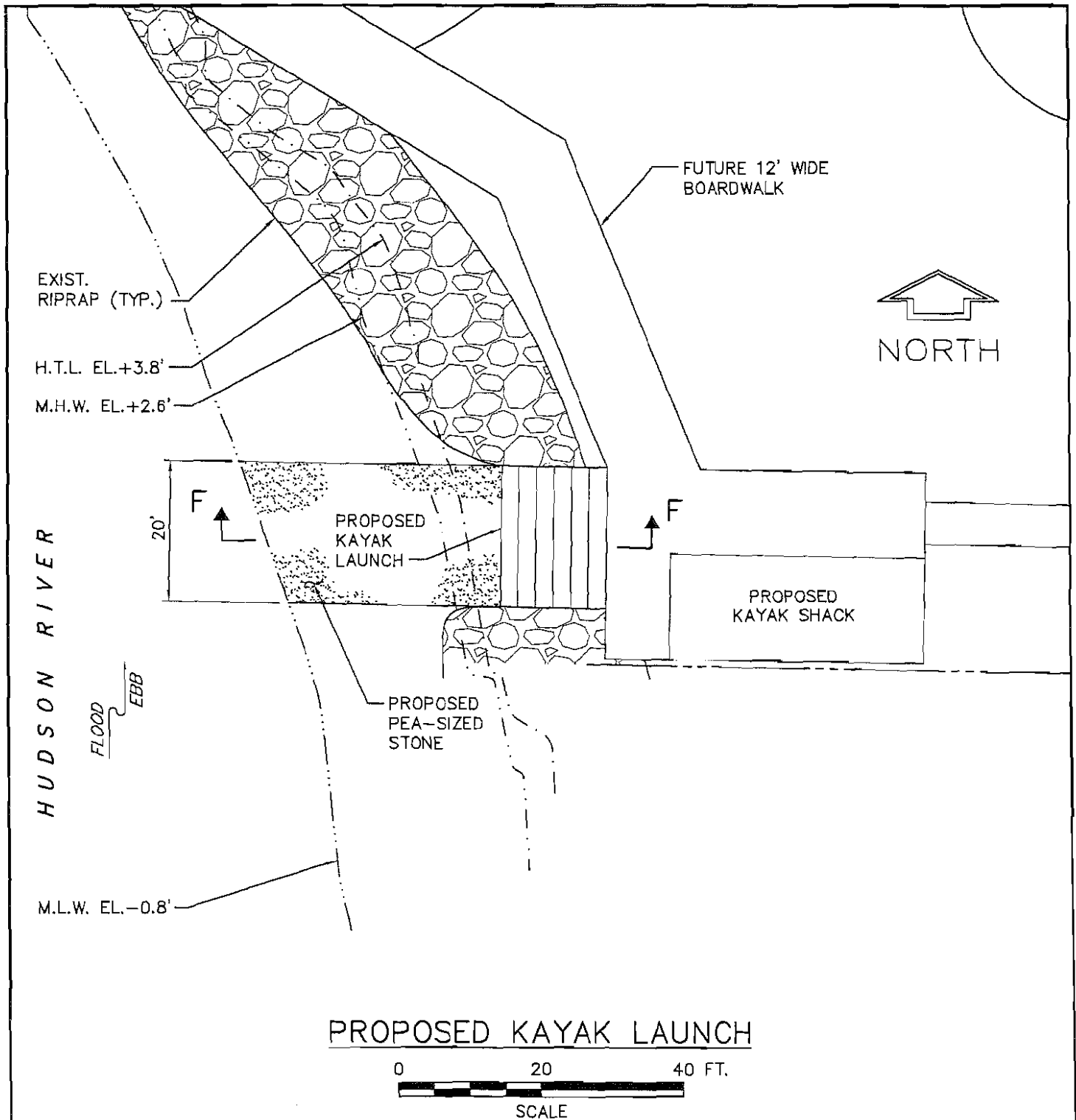
PROPOSED SHORELINE STABILIZATION OF HARBOR SQUARE
WATERFRONT DEVELOPMENT PROJECT

HUDSON RIVER
VILLAGE OF OSSINING
COUNTY OF WESTCHESTER
STATE OF NEW YORK

APPLICATION BY: HARBOR SQUARE, LLC

DATE: 1/31/06

SHEET 8 OF 12



FOR PERMIT USE ONLY
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PURPOSE: TO STABILIZE EXISTING SHORELINE

DATUM: N.G.V.D. 29

ADJACENT PROPERTY OWNERS:
SEE APPLICATION FOR LISTING

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

PROPOSED SHORELINE STABILIZATION OF HARBOR SQUARE
WATERFRONT DEVELOPMENT PROJECT

HUDSON RIVER
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STATE OF NEW YORK

APPLICATION BY: HARBOR SQUARE, LLC

DATE: 1/31/06

SHEET 9 OF 12

APPROX. 50 C.Y. OF EXIST. RIPRAP
TO BE REMOVED/REUSED ELSEWHERE

FUTURE
BOARDWALK

EL. +8.0'

PROPOSED
STEPS WITH RAILING

CONC. FOOTING

BACKFILL

PROPOSED 6" LAYER
PEA-SIZED STONE
TO M.L.W. (MAINTAIN
EXIST. GRADE)

H.T.L. EL. +3.8'

M.H.W. EL. +2.6'

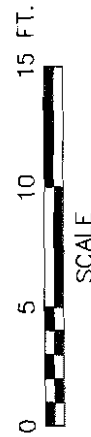
8±

1±

M.L.W. EL. -0.8'

EXIST. GRADE

SECTION F-F



FOR PERMIT USE ONLY
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PURPOSE: TO STABILIZE EXISTING SHORELINE

DATUM: N.G.V.D. 29

ADJACENT PROPERTY OWNERS:
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AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

PROPOSED SHORELINE STABILIZATION OF HARBOR SQUARE
WATERFRONT DEVELOPMENT PROJECT

HUDSON RIVER

VILLAGE OF OSSINING

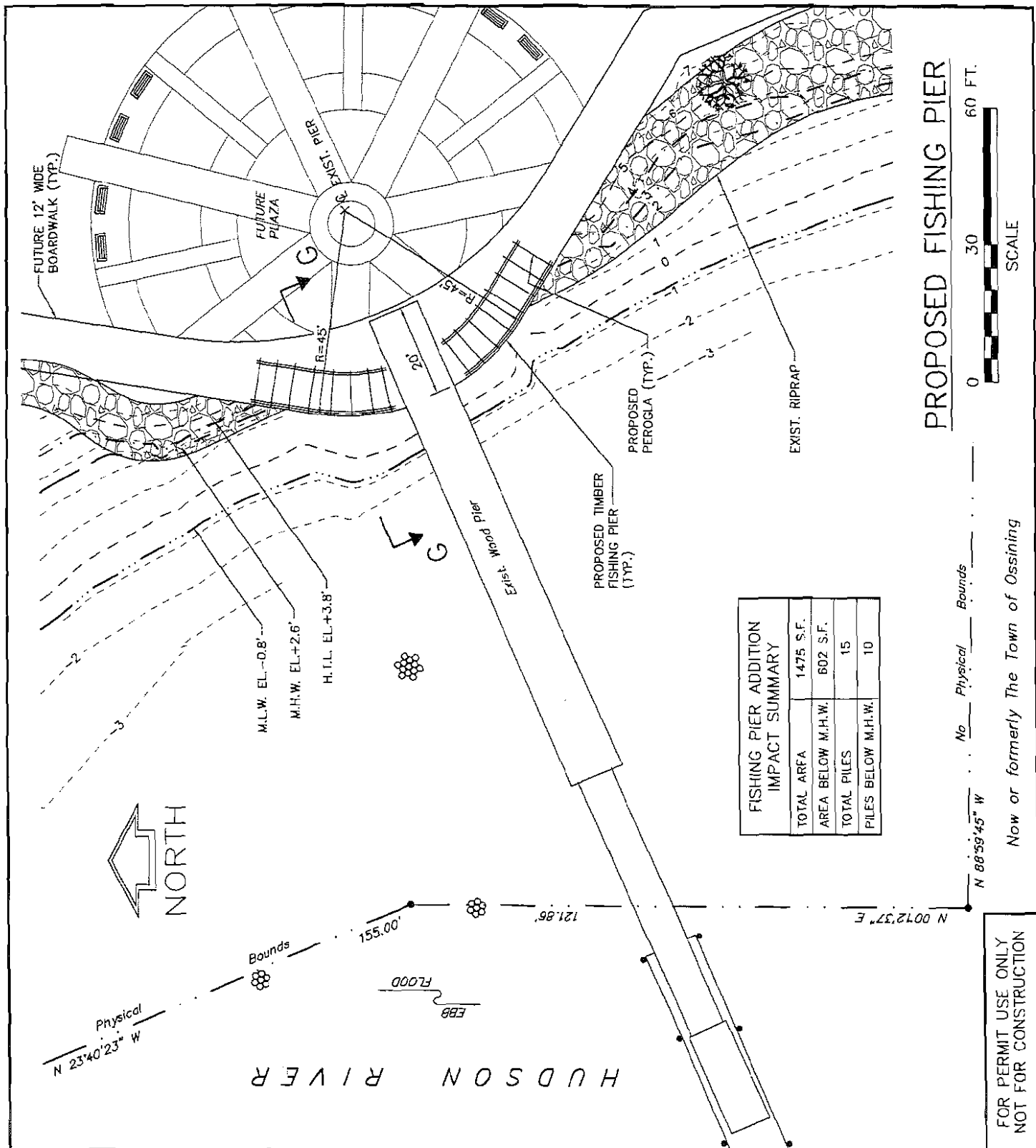
COUNTY OF WESTCHESTER

STATE OF NEW YORK

APPLICATION BY: HARBOR SQUARE, LLC

DATE: 1/31/06

SHEET 10 OF 12



PURPOSE: TO STABILIZE EXISTING SHORELINE

DATUM: N.G.V.D. 29

ADJACENT PROPERTY OWNERS:
SEE APPLICATION FOR LISTING

AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

PROPOSED SHORELINE STABILIZATION OF HARBOR SQUARE
WATERFRONT DEVELOPMENT PROJECT

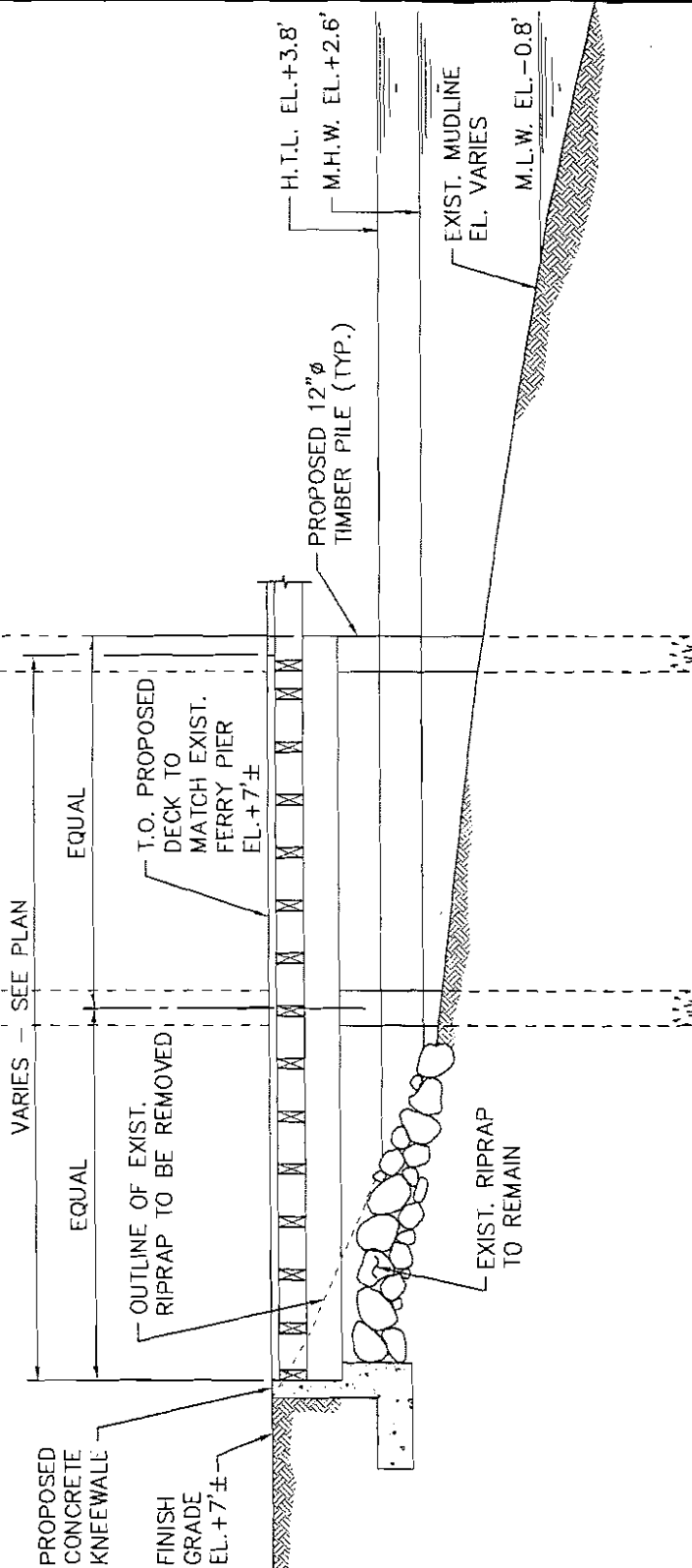
HUDSON RIVER
VILLAGE OF OSSINING
COUNTY OF WESTCHESTER
STATE OF NEW YORK

APPLICATION BY: HARBOR SQUARE, LLC

DATE: 1/31/06

SHEET 11 OF 12

PEROGA - SEE SHEET 8
FOR LOCATIONS



SECTION G-G



FOR PERMIT USE ONLY
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PURPOSE: TO STABILIZE EXISTING SHORELINE

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ADJACENT PROPERTY OWNERS:
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AGENT: OCEAN AND COASTAL CONSULTANTS ENGINEERING, P.C.

PROPOSED SHORELINE STABILIZATION OF HARBOR SQUARE
WATERFRONT DEVELOPMENT PROJECT

HUDSON RIVER
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STATE OF NEW YORK

APPLICATION BY: HARBOR SQUARE, LLC

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SHEET 12 OF 12